

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 61st LEGISLATURE - REGULAR SESSION

COMMITTEE ON NATURAL RESOURCES

Call to Order: Chairman Mike Milburn, on February 20, 2009 at
3:00 P.M., in Room 472 Capitol

ROLL CALL

Members Present:

Rep. Mike Milburn, Chairman (R)
Rep. Gordon R. Hendrick, Vice Chairman (R)
Rep. JP Pomnichowski, Vice Chairman (D)
Rep. Tony Belcourt (D)
Rep. Gerald Bennett (R)
Rep. Anders Blewett (D)
Rep. Jill Cohenour (D)
Rep. Sue Dickenson (D)
Rep. Betsy Hands (D)
Rep. Brian Hoven (R)
Rep. Tom McGillvray (R)
Rep. Mike Menahan (D)
Rep. Scott Mendenhall (R)
Rep. Mike Miller (R)
Rep. Michele Reinhart (D)
Rep. Kendall Van Dyk (D)
Rep. Chas Vincent (R)
Rep. Wendy Warburton (R)

Members Excused: None

Members Absent: None

Staff Present: Shirley Chovanak, Committee Secretary
Joe Kolman, Legislative Branch (LFD)

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Executive Action: HB 79 HB 359; HB 429; HB 411; HB 379;
HB 557; HB 402; HB 502; HB 254; HB 423;
HB 424; HB 425; HB 448; HB 535; HB 560

00:00:01 Chairman Milburn

EXECUTIVE ACTION ON HB 359

00:00:50 **Motion/Vote:** Rep. Pomnichowski moved that **HB 359 BE TABLED**. Motion carried unanimously by voice vote. Rep. Hands, Cohenour, and Warburton voted by proxy.

EXECUTIVE ACTION ON HB 429

00:02:43 **Motion/Vote:** Rep. Pomnichowski moved that **HB 429 BE TABLED**. Motion carried unanimously by voice vote. Rep. Hands, Cohenour, and Warburton voted by proxy.

00:03:00 Rep. Hands arrived.

00:03:09 Rep. Pomnichowski

EXECUTIVE ACTION ON HB 411

00:04:41 **Motion:** Rep. Reinhart moved that **HB 411 DO PASS**.

Discussion:

00:04:55 Rep. Pomnichowski

00:06:49 Rep. Dickenson

00:07:05 Chairman Milburn

00:08:08 Rep. Vincent

00:08:33 Rep. McGillvray

00:09:07 Rep. Dickenson

00:09:58 Rep. Miller

00:10:30 Rep. Hoven

00:11:39 Rep. Reinhart

00:12:39 Rep. McGillvray

00:13:07 Chairman Milburn

00:14:10 **Vote:** Motion failed by roll call vote 9-9. Reps. Warburton and Cohenour voted by proxy.

00:15:15 Joe Kolman, LFD

00:15:27 **Motion/Vote:** Rep. Reinhart moved **TO TABLE HB 411 BE TABLED**. Motion passed unanimously by voice vote. Reps. Warburton and Cohenour voted by proxy.

EXECUTIVE ACTION ON HB 379

00:16:01 **Motion:** Rep. Hendrick moved that **HB 379 DO PASS.**

Motion: Rep. Hendrick moved that **HB 379 BE AMENDED.**

EXHIBIT(nah40a01)

EXHIBIT(nah40a02)

Discussion:

00:17:15 Joe Kolman, LFD
 00:18:49 Rep. Pomnichowski
 00:19:23 Mr. Kolman
 00:19:34 Rep. Hendrick
 00:20:04 Rep. Pomnichowski
 00:20:44 Mr. Kolman
 00:21:51 Rep. Pomnichowski
 00:23:02 Rep. Vincent
 00:24:02 Rep. Pomnichowski
 00:24:48 Rep. Vincent
 00:25:34 Rep. Hands
 00:27:01 Chairman Milburn
 00:27:21 Mr. Kolman
 00:27:47 Rep. Reinhart
 00:29:26 Rep. Dickenson
 00:29:37 Rep. Warburton arrives.
 00:29:52 Rep. Vincent
 00:30:02 Rep. Pomnichowski
 00:31:58 Rep. Vincent
 00:32:43 Rep. Hendrick

00:33:14 **Vote:** Motion passed by roll call vote 16-2 with Rep. Pomnichowski voting no. Rep. Cohenour voted by proxy.

00:34:36 Rep. Belcourt
 00:35:49 Chairman Milburn
 00:36:22 Rep. Hendrick
 00:37:50 Rep. McGillvray
 00:38:20 Rep. Hendrick
 00:38:25 Mr. Kolman
 00:39:24 Rep. Reinhart
 00:39:37 Mr. Kolman
 00:40:15 Rep. Hands
 00:40:48 Mr. Kolman
 00:41:34 Rep. Vincent
 00:41:49 Mr. Kolman

00:42:00 **Vote:** Motion failed 7-11 by roll call vote.

00:42:50 **Motion/Vote:** Rep. Reinhart moved that **HB 379 BE TABLED AND THE VOTE REVERSED**. Motion carried 17-1 by voice vote with Rep. Van Dyk voting no. Rep. Cohenour voted by proxy.

EXECUTIVE ACTION ON HB 557

00:43:50 **Motion:** Rep. Belcourt moved that **HB 557 DO PASS**.

Motion: Rep. Belcourt moved that **HB 557 BE AMENDED**.
EXHIBIT(nah40a03)

Discussion:

00:45:34 Rep. Pomnichowski
00:45:51 Mr. Kolman
00:46:17 Rep. Pomnichowski
00:46:51 Mr. Kolman

00:47:37 **Vote:** Motion passed unanimously by voice vote. Reps. Reinhart and Cohenour voted by proxy.

00:48:10 **Motion:** Rep. Belcourt moved that **HB 557 AS AMENDED DO PASS**.

Discussion:

00:48:11 Rep. Hands
00:48:41 Rep. Hoven
00:48:56 Rep. Belcourt

00:49:35 **Vote:** Motion passed unanimously by voice vote. Reps. Reinhart and Cohenour voted by proxy.

EXECUTIVE ACTION ON HB 402

00:50:08 **Motion:** Rep. Van Dyk moved that **HB 402 DO PASS**.

00:51:08 **Motion:** Rep. Dickenson moved that **HB 402 BE AMENDED**.
EXHIBIT(nah40a04)

Discussion:

00:51:55 **Vote:** Motion passed by voice vote 13-5 with Reps. Vincent, Hendrick, Mendenhall, Bennett, and Hoven voting no. Reps. Cohenour and Reinhart voted by proxy.

00:52:13 **Motion:** Rep. Van Dyk moved that **HB 402 AS AMENDED DO PASS.**

Discussion:

00:52:33 Rep. Dickenson

00:54:44 Rep. Vincent

00:55:31 **Vote:** Motion carried unanimously by voice vote. Rep. Cohenour voted by proxy.

EXECUTIVE ACTION ON HB 79

00:56:01 **Motion:** Rep. Belcourt moved that **HB 79 DO PASS.**

Discussion:

00:56:18 Rep. Pomnichowski

00:57:24 **Motion/Vote:** Rep. Pomnichowski moved that **HB 79 BE TABLED.** Motion passed 11-7 by voice vote, with Reps. Mendenhall, Hoven, Warburton, Hendrick, McGillvray, Bennett, and Vincent voting no. Rep. Cohenour voted by proxy.

EXECUTIVE ACTION ON HB 425

00:58:41 **Motion:** Rep. Pomnichowski moved that **HB 425 DO PASS.**

01:00:00 **Motion:** Chairman Milburn moved that **HB 425 BE AMENDED.**
EXHIBIT (nah40a05)

Discussion:

01:00:41 Mr. Kolman

01:05:23 Rep. Hands

01:06:14 Chairman Milburn

01:06:30 Mr. Kolman

01:06:49 Rep. Van Dyk

01:09:00 **Motion:** Rep. Dickenson moved to segregate amendment.

Discussion:

01:09:40 Rep. Cohenour
01:10:01 Rep. Dickenson withdrew her motion without objection.
01:10:10 **Vote:** Motion carried unanimously by voice vote. Rep. Cohenour voted by proxy.
01:10:27 **Motion/Vote:** Rep. Pomnichowski moved that **HB 425 AS AMENDED DO PASS**. Motion passed 12-6 by voice vote with Reps. Hendrick, Mendenhall, Miller, Blewett, McGillvray, and Warburton voting no. Rep. Cohenour voted by proxy.

EXECUTIVE ACTION ON HB 448

01:11:43 **Motion/Vote:** Rep. Pomnichowski moved that **HB 448 DO PASS**. Motion failed by roll call vote 9-9.
01:14:10 **Motion/Vote:** Rep. Pomnichowski moved that **HB 448 BE TABLED**. Motion passed unanimously. Reps. Cohenour and Hands voted by proxy.

EXECUTIVE ACTION ON HB 423

01:14:29 **Motion/Vote:** Rep. Pomnichowski moved that **HB 423 DO PASS**. Motion failed by roll call vote 6-12, with Reps. Pomnichowski, Van Dyk, Reinhart, Blewett, and Dickenson voting aye. Rep. Hands voted by proxy.
01:15:35 **Motion/Vote:** Rep. Pomnichowski moved that **HB 423 BE TABLED AND THE VOTE REVERSED**. Motion carried unanimously by voice vote. Rep. Cohenour voted by proxy.

EXECUTIVE ACTION ON HB 424

01:16:41 **Motion:** Rep. Pomnichowski moved that **HB 424 DO PASS**.

Discussion:

01:17:12 Rep. Mendenhall
01:17:50 Rep. Belcourt
01:18:14 Rep. Warburton
01:18:21 Rep. Pomnichowski

01:19:00 **Vote:** Motion failed 4-14 by roll call with Reps. Pomnichowski, Reinhart, Dickenson, and Menahan voting aye. Rep. Cohenour voted no by proxy.

01:19:24 **Motion/Vote:** Rep. Pomnichowski moved that **HB 424 BE TABLED AND THE VOTE REVERSED**. Motion carried unanimously by voice vote. Rep. Cohenour voted by proxy.

EXECUTIVE ACTION ON HB 535

01:19:57 **Motion:** Rep. Reinhart moved that **HB 535 DO PASS**.

Discussion:

01:24:31 Rep. Dickenson
01:27:27 Chairman Milburn
01:28:03 Rep. Pomnichowski
01:28:32 Mr. Kolman
01:28:41 Rep. Pomnichowski
01:29:05 Mr. Kolman
01:29:12 Rep. Reinhart

01:29:20 **Vote:** Motion failed 6-12 by roll call vote with Reps. Van Dyk, Reinhart, Hands, Blewett, Dickenson, and Warburton voting aye. Rep. Cohenour voted by proxy.

01:30:47 **Motion/Vote:** Rep. Reinhart moved that **HB 535 BE TABLED AND THE VOTE REVERSED**. Motion carried 16-2 by voice vote with Reps. Reinhart and Van Dyk voting no. Rep. Cohenour voted by proxy.

EXECUTIVE ACTION ON HB 560

01:31:33 **Motion:** Rep. Hands moved that **HB 560 DO PASS**.

Discussion:

01:33:16 Rep. Bennett

01:33:42 **Motion/Vote:** Rep. Pomnichowski moved that **HB 560 BE TABLED AND THE VOTE REVERSED**. Motion carried 10-8 by voice vote with Reps. Belcourt, Blewett, Dickenson, Hands, Hoven, Menahan, and Reinhart voting no. Rep. Cohenour voted by proxy.

ADJOURNMENT

01:36:12 Adjournment: 4:45 P.M.

Shirley Chovanak, Secretary

Additional Document
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Additional Documents:

EXHIBIT ([nah40aad.pdf](#))